

Notice of Allowability

Application No.

10/511,655

Examiner

Sam Rizk

Applicant(s)

MARKMAN, INONETE

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/27/2006.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

- Response to the applicant's amendment dated 4/27/2006
- Amended claims 1-26 and have been submitted for examination
- Amended claims 1- 26 have been allowed

Claim Rejections - 35 USC § 112

1. In view of the applicant amended claims 1 and 6 filed on 4/27/2006; all objections to claims 1 and 6 under 35 *USC* § 112 are withdrawn.

Response to Arguments

2. Applicant's arguments, see pages 11-15, filed on 4/27/2006, with respect to claims 1, 10, 11, 17 and 23 have been fully considered and are persuasive. The rejection of claims 1, 10, 11, 17 and 23 under 35 *USC* § 102(e) has been withdrawn.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

3. The prior Art of record and in particular Safari teaches:
 - In a system for processing data comprising groups of trellis encoded data packets, apparatus for providing trellis decoded data, comprising:
 - means for generating decision data associated with trellis state transitions in response to said encoded data packets;
 - a traceback network responsive to said decision data for identifying a sequence of antecedent trellis states, as

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determined by a state transition trellis, wherein said antecedent trellis states are identified for a sequence of data packets;

- means for selecting a desired trellis state path from the antecedent trellis states',
- means responsive to said identified sequence of antecedent trellis states, for providing said trellis decoded data.

However, the prior art do not teach, suggest, or otherwise render obvious:

- means for continuously updating the desired trellis state path at each new trellis branch as in claim 1.

4. Claims (2-10 and 18-22) depend from claims 1.
5. Claims 11,17,23 and 26 have similar language as claim 1.
6. Claims 12-16 depend from claim 11.
7. Claims 24 and 25 depend from claim 23.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone

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number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819.

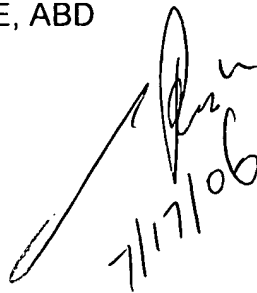
The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

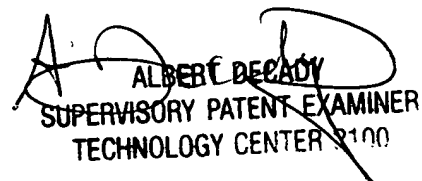
Sam Rizk, MSEE, ABD

Examiner

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7/17/06



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